

ECONOMIC DEVELOPMENT AUTHORITY[261]

Notice of Intended Action

Proposing rule making related to apprenticeship training program and providing an opportunity for public comment

The Economic Development Authority hereby proposes to amend Chapter 12, “Apprenticeship Training Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 15.106A and 15B.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 15B as amended by 2021 Iowa Acts, House File 559.

Purpose and Summary

2021 Iowa Acts, House File 559, amends Iowa Code chapter 15B relating to the Apprenticeship Training Program. The amended statute defines “contact hours” as the number of hours of in-person instruction received by an apprentice and provides that an apprenticeship program is eligible for assistance under the Apprenticeship Training Program only if its training includes at least 100 contact hours. The legislation also amends the calculation used to determine the amount of assistance provided to each eligible apprenticeship sponsor or lead apprenticeship sponsor.

The proposed rule making amends Chapter 12 to reflect the changes made to the Iowa Code as well as remove outdated references to legislation and contact information for the Authority.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Authority for a waiver of the discretionary provisions, if any, pursuant to 261—Chapter 199.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Authority no later than 4:30 p.m. on August 17, 2021. Comments should be directed to:

Lisa Connell
Iowa Economic Development Authority
1963 Bell Avenue, Suite 200
Des Moines, Iowa 50315
Phone: 515.348.6163
Email: lisa.connell@iowaeda.com

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Adopt the following new definition of “Contact hours” in rule **261—12.3(15,15B)**:

“Contact hours” means the number of hours of in-person instruction received by an apprentice participating in an apprenticeship program.

ITEM 2. Amend subrule 12.4(1) as follows:

12.4(1) The authority will provide financial assistance under the program from moneys appropriated for purposes of the program pursuant to Iowa Code section 15.342A and 2014 Iowa Acts, House File 2460, section 3.

ITEM 3. Amend subrule 12.5(1) as follows:

12.5(1) The applicant is an apprenticeship sponsor, or a lead apprenticeship sponsor, that is ~~conducting~~ conducts an apprenticeship program that is registered with the U.S. Department of Labor, Office of Apprenticeship, through Iowa, for apprentices who will be employed at Iowa worksites in Iowa.

ITEM 4. Renumber subrules **12.5(2)** to **12.5(4)** as **12.5(3)** to **12.5(5)**.

ITEM 5. Adopt the following new subrule 12.5(2):

12.5(2) The applicant conducts an apprenticeship program that includes a minimum of 100 contact hours per apprentice for each training year of the apprenticeship program.

ITEM 6. Amend rule 261—12.6(15,15B) as follows:

261—12.6(15,15B) Determination of financial assistance grants. The authority will provide financial assistance in the form of training grants to eligible apprenticeship sponsors or lead apprenticeship sponsors. The maximum amount of financial assistance provided to an eligible apprenticeship sponsor or lead apprenticeship sponsor will be calculated in the following manner:

12.6(1) By determining the total amount of funding allocated for purposes of training grants for apprenticeship programs as described in rule 261—12.4(15,15B).

12.6(2) By ~~adding together all of the following~~:

a. ~~The determining the total number of apprentices trained during the most recent training year, as calculated on the last day of the training year, in all apprenticeship programs conducted by all applying apprenticeship sponsors or lead apprenticeship sponsors during the most recent training year as calculated on the last day of the training year~~ eligible to apply for financial assistance under rule 261—12.5(15,15B).

b. ~~The total number of contact hours that apprenticeship instructors for all applying apprenticeship sponsors or lead apprenticeship sponsors spent in contact with apprentices during the most recent training year. For purposes of this paragraph, “contact hours” includes the time spent instructing apprentices in person or, in the case of a lead apprenticeship sponsor with programs totaling 100 or more total instructional hours, “contact hours” includes the time spent in online training if the total amount of online instruction does not account for more than 30 percent of the total instructional hours.~~

12.6(3) By adding together all of the following:

~~a. The determining the total number of apprentices trained during the training year, as calculated on the last day of the training year, in each apprenticeship program conducted by a single each applying apprenticeship sponsor or lead apprenticeship sponsor during the most recent training year as calculated on the last day of the training year eligible to apply and that applied for financial assistance under rule 261—12.5(15,15B).~~

~~b. The total number of contact hours that apprenticeship instructors for a single applying apprenticeship sponsor or lead apprenticeship sponsor spent in contact with apprentices during the most recent training year. For purposes of this paragraph, “contact hours” includes the time spent instructing apprentices in person or, in the case of a lead apprenticeship sponsor with programs totaling 100 or more total instructional hours, “contact hours” includes the time spent in online training if the total amount of online instruction does not account for more than 30 percent of the total instructional hours.~~

12.6(4) By determining the proportion, stated as a percentage, that a single each applying apprenticeship sponsor’s or lead apprenticeship sponsor’s total calculated pursuant to subrule 12.6(3) bears to all applying apprenticeship sponsors’ or lead apprenticeship sponsors’ total calculated pursuant to subrule 12.6(2).

12.6(5) By multiplying the percentage calculated in subrule 12.6(4) by the amount determined in subrule 12.6(1).

ITEM 7. Amend rule 261—12.7(15,15B) as follows:

261—12.7(15,15B) Application submittal and review process.

12.7(1) The authority will develop a standardized application and make the application available to applicants. To apply for assistance under the program, an applicant shall submit an application to the authority. ~~Applications may be sent to the Economic Development Authority, 200 East Grand Avenue, Des Moines, Iowa 50309.~~ Required forms and instructions are available by contacting the authority at that address or from the authority’s Internet site at www.iowaeconomicdevelopment.com ~~www.iowaeda.com.~~

12.7(2) No change.